

NEPA Process Overview

The NEPA process consists of an evaluation of the environmental effects of a federal undertaking including its alternatives. There are three levels of analysis depending on whether or not an undertaking could significantly affect the environment. These three levels include: categorical exclusion determination; preparation of an environmental assessment/finding of no significant impact (EA/FONSI); and preparation of an environmental impact statement (EIS).

At the first level, an undertaking may be categorically excluded from a detailed environmental analysis if it meets certain criteria that a federal agency has previously determined as having no significant environmental impact. A number of agencies have developed lists of actions that are normally categorically excluded from environmental evaluation under their NEPA regulations.

At the second level of analysis, a federal agency prepares a written environmental assessment (EA) to determine whether or not a federal undertaking would significantly affect the environment. If the answer is no, the agency issues a finding of no significant impact (FONSI). The FONSI may address measures that an agency will take to reduce (mitigate) potentially significant impacts.

If the EA determines that the environmental consequences of a proposed federal undertaking may be significant, an EIS is prepared. An EIS is a more detailed evaluation of the proposed action and alternatives. The public, other federal agencies and outside parties may provide input into the preparation of an EIS and then comment on the draft EIS when it is completed.

If a federal agency anticipates that an undertaking may significantly impact the environment, or if a project is environmentally controversial, a federal agency may choose to prepare an EIS without having to first prepare an EA.

After a final EIS is prepared and at the time of its decision, a federal agency will prepare a public record of its decision addressing how the findings of the EIS, including consideration of alternatives, were incorporated into the agency's decision-making process.

For further guidance see <http://www.epa.gov/Compliance/resources/nepa.html> (not a Reclamation website) or refer to the Reclamation NEPA Handbook at <http://www.usbr.gov/nepa/documents.htm>

The following pages consist of a NEPA compliance flowchart as well as a Categorical Exclusion Checklist. Both are taken from the Reclamation NEPA Handbook. Following the checklist is a list of Categorical Exclusions for Reclamation activities taken from the Reclamation NEPA Handbook.

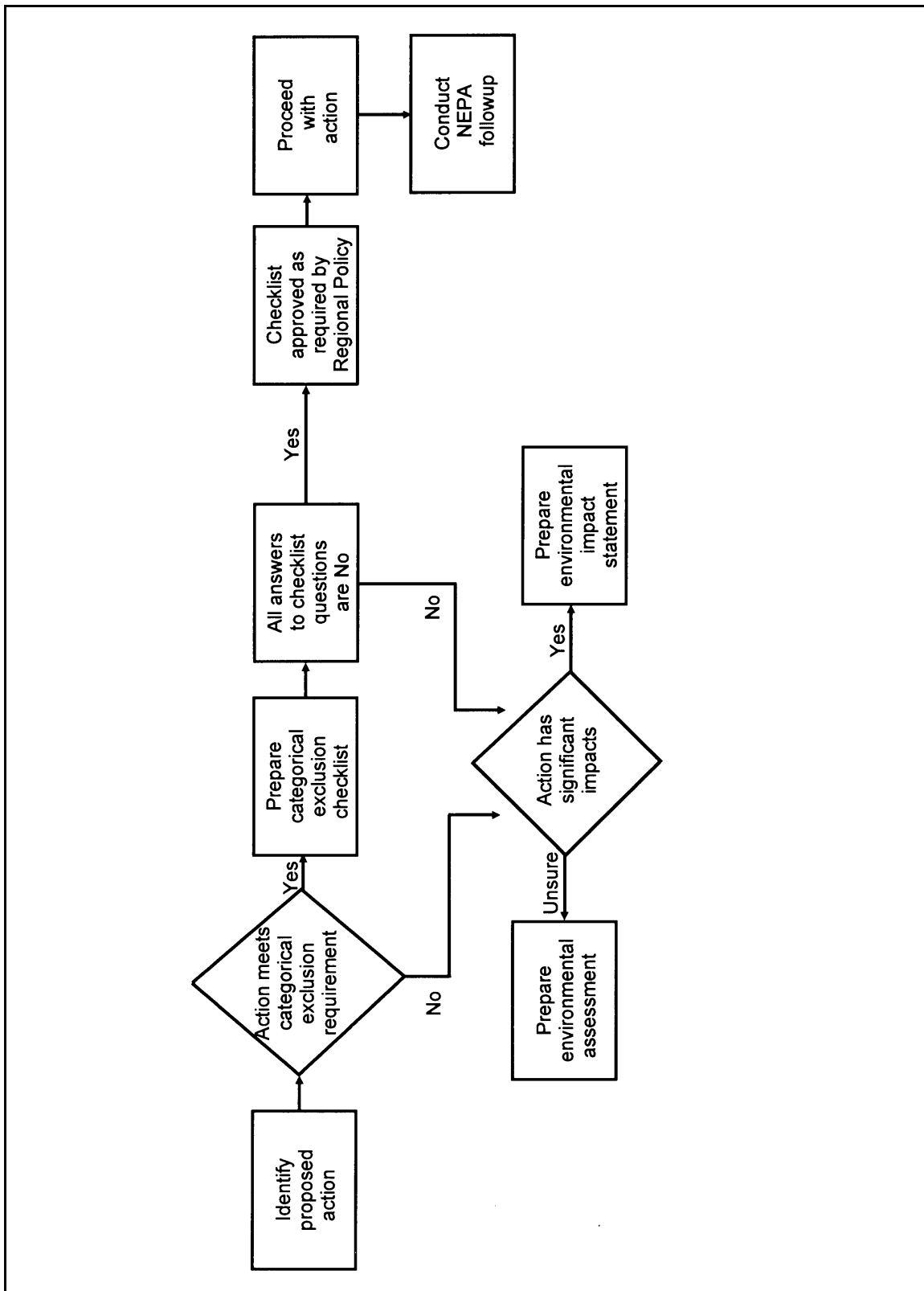


Figure 5.2.—Categorical exclusion process flowchart.

(1) C.E.C. No. _____

(2) Contract No. _____

(3) Cost Auth. No. _____

CATEGORICAL EXCLUSION CHECKLIST
(CEC)

(4) PROJECT: _____ (5) DATE: _____

(6) EXCLUSION CATEGORY (Please write out the exclusion category):

(7) NATURE OF ACTION:

EVALUATION OF CRITERIA FOR CATEGORICAL EXCLUSION

(8) This action or group of actions would have a significant effect on the quality of the human environment.

No ___ Uncertain ___ Yes ___

Sheet 1 of 3

Figure 5.1.—Example of a categorical exclusion checklist sheet.

CATEGORICAL EXCLUSION CHECKLIST
(Continued)

- | | |
|--|---------------------------------|
| (9) This action or group of actions would involve unresolved conflicts concerning alternative uses of available resources. | No ____ Uncertain ____ Yes ____ |
| (10) This action would have significant adverse effects on public health or safety. | No ____ Uncertain ____ Yes ____ |
| (11) This action would have an adverse effect on unique geographical features such as wetlands, wild or scenic rivers, rivers in the nationwide inventory, refuges, floodplains, or prime or unique farmlands. (Same as Chapter 2, 516 DM-2, appendix 2, Part 2.2) | No ____ Uncertain ____ Yes ____ |
| (12) The action will have highly controversial environmental effects. | No ____ Uncertain ____ Yes ____ |
| (13) The action will have highly uncertain environmental effects or involve unique or unknown environmental risk. | No ____ Uncertain ____ Yes ____ |
| (14) This action will establish a precedent for future actions. | No ____ Uncertain ____ Yes ____ |
| (15) This action is related to other actions with individually insignificant but cumulatively significant effects. | No ____ Uncertain ____ Yes ____ |
| (16) This action will adversely affect properties listed or eligible for listing in the National Register of Historic Places. (To be completed only by Regional Archeologist): _____
(initial) | No ____ Uncertain ____ Yes ____ |
| (17) This action will adversely affect a species listed or proposed to be listed as Endangered or Threatened. | No ____ Uncertain ____ Yes ____ |

Sheet 2 of 3

Figure 5.1.—Example of a categorical exclusion checklist sheet (continued).

CATEGORICAL EXCLUSION CHECKLIST	
(Continued)	
(18) This action threatens to violate Federal, State, local, executive or Secretarial orders, or tribal law or requirements imposed for protection of the environment.	No ____ Uncertain ____ Yes ____
(19) This action will affect Indian Trust Assets (ITAs) (To be completed by ITA Coordinator: _____ (initial))	No ____ Uncertain ____ Yes ____
(20) NEPA ACTION RECOMMENDED:	CATEGORICAL EXCLUSION _____ EA _____ EIS _____
(21) ENVIRONMENTAL AND TRUST ASSET COMMITMENTS, EXPLANATION AND/OR REMARKS:	
(22) PREPARER'S NAME AND TITLE:	_____
(23) APPROVED: _____ Area Manager	DATE: _____
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Figure 5.1.—Example of a categorical exclusion checklist sheet (continued).

Categorical Exclusion for Bureau of Reclamation Activities

Listed below are general categories and brief explanation of Categorical Exclusions for Reclamation activities. A Categorical Exclusion Checklist must be completed even if you activity is described below.

General Activities

Research activities, such as nondestructive data collection and analysis, monitoring, modeling, laboratory testing, calibration, and testing of instruments or procedures and non-manipulative field studies.

Planning Activities

Routine planning investigations activities where the impacts are expected to be localized and minor, such as land classification surveys, topographic surveys, archeological surveys, paleontological surveys, wildlife studies, economic studies, social studies, and other study activity during any planning, preconstruction, construction, or operation and maintenance phases.

Data collection studies that involve test excavations for cultural resources or test pitting, drilling, or seismic investigations for geologic purposes where the impacts will be localized and minor.

Project Implementation Activities

Minor construction activities associated with authorized projects or programs which correct unsatisfactory environmental conditions or which merely augment or supplement, or are enclosed within existing facilities.

Operation and Maintenance Activities

Maintenance, rehabilitation, and replacement of existing facilities which involve a minor change in size, location, and/or operation.

Implementation of soil and moisture conservation programs where the impacts are localized and minor.

Conduct programs of demonstration, educational, and technical assistance for water use organizations on improving project and on-farm irrigation water use and management.

Minor safety of dams construction activities where the work is confined to the dam, abutment areas, or appurtenant features, and where no major change in reservoir or downstream operation is anticipated as a result of construction activities.

Application of non-restricted use pesticides that are in accordance with label restrictions, meet applicable local, state and Federal standards, and requirements for permits.

Grant and Loan Activities

Investigations or implementation of plans that would result in little or no ground disturbing activities.

Minor work on existing facilities, such as repair, replacement or modification of equipment.

Work that is confined to areas already impacted by previous farming or development activities and that would have localized and minimal effects.